

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>Robert Hankins,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 1:12-168</b>
	)	
<b>v.</b>	)	<b>District Judge Terrence F. McVerry</b>
	)	
<b>Wolf, et al.</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

This case is before the Court on the pending Report and Recommendation filed by Magistrate Judge Baxter on May 22, 2014 (ECF No. 59) and an Order denying as moot Plaintiff's motion for temporary restraining order ("TRO") on July 15, 2014 (ECF No. 67). In the Report and Recommendation, Judge Baxter recommended that the motion to dismiss amended complaint filed on behalf of Defendants Wolf, Sobina, Adams, Wetzel, Smeal, Varner, and Rhodes (ECF No. 39) be granted. Further, Judge Baxter recommended that, pursuant to the authority granted by the Prison Litigation Reform Act, Plaintiff's claims against all remaining Defendants be dismissed for his failure to prosecute; and that this case be dismissed in its entirety. In the July 15, 2014 docket entry, Judge Baxter indicated that Plaintiff appeared at the TRO hearing at which his motion was denied because he had access to property for review. (ECF No. 67).

Plaintiff was served with the Report and Recommendation and informed of the timeframe in which he had to file written objections. (ECF Nos. 59, 67). Plaintiff has since filed written objections to the Report and Recommendation (ECF Nos. 62) and to the order denying as moot his motion for TRO (ECF No. 68).

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 31<sup>st</sup> day of July, 2014:

**IT IS HEREBY ORDERED** that the objections of Plaintiff are **OVERRULED**; that the motion to dismiss amended complaint filed on behalf of Defendants Wolf, Sobina, Adams, Wetzel, Smeal, Varner, and Rhodes is **GRANTED**; that the Report and Recommendation is **ADOPTED** as the Opinion of the Court; and that the motion for TRO is **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that, pursuant to the authority granted by the Prison Litigation Reform Act, Plaintiff's claims against all remaining Defendants are hereby **DISMISSED** for his failure to prosecute.

**AND IT IS FURTHER ORDERED** that the Clerk of Court shall mark this case **CLOSED**.

By the Court:

s/ Terrence F. McVerry  
United States District Judge

cc: ROBERT HANKINS  
DT-3209  
SCI Dallas  
1000 Follies Road  
Dallas, PA 18612  
(via first-class mail)

Mary Lynch Friedline  
Email: [mfriedline@attorneygeneral.gov](mailto:mfriedline@attorneygeneral.gov)